

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE:	§	CHAPTER 11
	§	
AZTEC OIL & GAS, INC. and	§	Case No. 16-31895
AZTEC ENERGY, LLC, et al.,	§	
	§	
<i>Debtors.</i>	§	Jointly Administered

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AZTEC OIL & GAS, INC. and	§	
AZTEC ENERGY, LLC,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
<i>vs.</i>	§	
	§	
FRANK FISHER, ROBERT SONFIELD	§	
L. MYCHAL JEFFERSON, II.,	§	Adv. Proc. No. 16-03107
LIVINGSTON GROWTH FUND	§	
TRUST, and INTERNATIONAL	§	
FLUID DYNAMICS,	§	
	§	
<i>Defendants,</i>	§	
	§	
<i>vs.</i>	§	
	§	
JEREMY DRIVER, DR. KENNETH	§	
LEHRER and MARK VANCE,	§	
	§	
<i>Third Party Defendants.</i>	§	

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD**

TO THE HONORABLE JUDGE DAVID JONES  
UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, the law firm of Christian, Smith & Jewell, LLP (“CSJ”), attorney of record for Aztec Oil & Gas, Inc. and three of its directors - Third-Party Defendants Jeremy Driver, Dr. Kenneth Lehrer and Mark Vance (collectively the “Third-Party Defendants”) - in the above captioned adversary proceeding and files this motion to withdraw as counsel for the Third-Party Defendants as follows:

1. Although they are not parties to the bankruptcy, Directors Jeremy Driver, Dr. Kenneth Lehrer and Mark Vance are presently third-party defendants in the above-referenced adversary proceeding. Pursuant to a previously filed motion to disqualify CSJ and the Court's gracious guidance, the Third-Party Defendants agreed to find (and have already engaged) new counsel.
2. As such, CSJ seeks to withdraw as counsel for the Third-Party Defendants in the above referenced adversary proceeding. CSJ will continue to represent the Debtor and its affiliates.
3. The Third-Party Defendants have chosen new counsel, which will prevent any possible delay to the Court or Debtor. New counsel for the Third-Party Defendants, Beck | Redden, LLP, has stated to CSJ that Mr. Alistair Dawson will file an appearance on behalf of the Third-Party Defendants and appeared on their behalf at the July 20, 2016 hearing.
4. Although the Third-Party Defendants expressly consent to this withdrawal, notice of this motion will be provided to each them as follows:

Mr. Jeremy Driver - via e-mail at [jeremy@aztecog.com](mailto:jeremy@aztecog.com)  
Dr. Kenneth Lehrer - via e-mail at [drken@lehecoserv.com](mailto:drken@lehecoserv.com)  
Mr. Mark Vance - via e-mail at [markvance11@yahoo.com](mailto:markvance11@yahoo.com)

and to new counsel as follows:

Mr. Alistair Dawson  
Beck Redden LLP  
1221 McKinney St., Suite 4500  
Houston, TX 77010

- and via email to [adawson@beckredden.com](mailto:adawson@beckredden.com)

5. Therefore, the law firm of Christian, Smith & Jewell, LLP is voluntarily withdrawing as counsel for the Third-Party Defendants, and Gary M. Jewell and Kristin N. Rhame are withdrawing as attorneys-in-charge and counsel of record.

WHEREFORE, PREMISES CONSIDERED, Movant Christian, Smith & Jewell, LLP,

the attorney of record for the Third-Party Defendants respectfully request that this Court enter an Order allowing CSJ to withdraw as counsel of record and Gary M. Jewell and Kristin N. Rhame as attorney-in-charge, and for such other and further relief to which they may be justly entitled.

Respectfully submitted,

**CHRISTIAN, SMITH & JEWELL, L.L.P.**

By: /s/ Gary M. Jewell

GARY M. JEWELL

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**ATTORNEYS FOR PLAINTIFFS  
AZTEC OIL & GAS, INC. and  
AZTEC ENERGY, LLC**

**CERTIFICATE OF CONFERENCE**

I hereby certify that on this the 19<sup>th</sup> day of July, 2016, I communicated with Mr. Johnie Patterson via e-mail and he stated that he was not opposed.

By: /s/ Gary M. Jewell

GARY M. JEWELL

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 20<sup>th</sup> day of July, 2016 that a true and correct copy of the foregoing was served via electronic mail to all parties requesting ECF Notice.

By: /s/ Gary M. Jewell

GARY M. JEWELL